

## **REMARKS/ARGUMENTS**

The present Amendment is responsive to the non-final Office Action mailed January 18, 2008 in the above-identified application.

Claim 1 is canceled without prejudice or disclaimer. Further, new claim 24 is added. Therefore, Claims 2-4, 15 and 24 are the claims currently presented for examination in the present application.

Claim 2 is rewritten as an independent claim and amended to clarify features recited thereby. The amendments to claim 2 are fully supported by Applicant's disclosure, see, for example, Specification, paragraph bridging pages 8 and 9 and Fig. 3. Claim 15 is amended so that it continues to depend from a claim pending in the present application. Further, claims 4 and 15 are amended so as to conform them more closely to U.S. patent practice style.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and the receipt of the priority document.

### ***Applicant's Statement of Substance of Interview***

Applicant thanks the Examiner for the opportunity of a telephone interview conducted on April 16, 2008. During the interview, Applicant's representative explained aspects of the invention as claimed in claim 1 including the notion that the transmission arrangement pivots about one spindle of the at least three mounting spindles when the weighing element receives the load. At the conclusion of the interview, the Examiner stated that such an amendment would seem to overcome at least the 35 U.S.C. § 102 lack of novelty rejection over the cited references. It was agreed that a written response will be filed, at which time the Examiner will have the opportunity to reconsider the application.

### ***Rejection of Claims 1, 2, 4 and 15 under 35 U.S.C. § 102***

Claims 1, 2, 4 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Camenzind, PCT WO 99/56918. Reconsideration of this rejection is respectfully requested.

Without intending to limit the scope of the claims, according to an aspect of Applicant's invention as claimed in claim 2, a weighing element of a pocket knife that bears a load can transmit the weight of the load to a measuring sensor via a transmission element that pivots about a spindle of the pocket knife. For example, as illustrated in Fig. 3, the weighing element can be reliably secured to the pocket knife because the weighing element is reliably attached to mounting spindle 11, however, the weight of the load can be transmitted to the measuring sensor

23 by a transmission element 21, which is secured to the same mounting spindle 11 such that the transmission element 21 can pivot about the mounting spindle, as described, for example, in the paragraph bridging pages 8 and 9 of the Specification.

Claim 2 requires a pocket knife comprising a transmission arrangement configured to pivot about one spindle of the at least three mounting spindles when the weighing element receives the load, the measuring sensor operatively connected to the weighing element by the transmission arrangement for transmitting the weight of the load to the measuring sensor.

Camenzind discloses a multi-function pocket knife with a measuring and display device (Camenzind, Abstract), which includes a pivotable weighing element 51 on which a weight can be hanged.

Camenzind does not disclose or suggest a pocket knife that includes a transmission arrangement configured to pivot about one spindle, as required by claim 2. Further, Camenzind does not disclose or suggest such a transmission arrangement such that the measuring sensor is operatively connected to the weighing element via the transmission arrangement for transmitting the weight of the load to the measuring sensor, as further required by claim 2.

In effect, the weighing element 51 in Fig. 5 of Camenzind may be attached to various types of measuring devices (for example, a spring balance) and Camenzind does not disclose or suggest a measuring sensor, as required by claim 2. Therefore, Camenzind does not disclose or suggest the recitations of claim 2.

Claims 4 and 15 depend from claim 2 and are patentably distinguishable over the cited art for at least the same reasons. Further, claim 1 is canceled without prejudice or disclaimer and therefore the rejection is moot as to this claim.

#### ***Rejection of Claim 3 under 35 U.S.C. § 103***

Claim 3 is rejected under 35 U.S.C. § 103 as being obvious from Camenzind in view of Lechner, U.S. Patent No. 4,129,190. Reconsideration of this rejection is respectfully requested.

Lechner discloses a weighing apparatus that includes a weighing beam arresting assembly that may be moved to an arresting position (Lechner, Abstract), the weighing apparatus including a balance beam 10 which supports a suspended assembly 16 (Lechner, column 2, lines 58-65).

Lechner does not cure the above-discussed deficiencies of Camenzind as they relate to the above-cited features of claim 2. In particular, Lechner does not disclose or suggest a pocket knife that includes a transmission arrangement configured to pivot about a spindle of the pocket

knife, the spindles foldably securing the cutting tool or blade to the body. Accordingly, even taken together in combination, Camenzind and Lechner do not disclose or suggest the recitations of claim 2.

Claim 3 depends from claim 2 and is therefore patentably distinguishable over the cited art for at least the same reasons.

***New Claim***

New claim 24 is added so as more fully to claim patentable aspects of Applicant's invention. New claim 24 is fully supported by Applicant's disclosure, see, for example, the paragraph bridging pages 8 and 9 of the Specification and Fig. 3.

Claim 24 depends from claim 2 and is therefore patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the application are respectfully requested.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
TRADEMARK OFFICE EFS FILING  
SYSTEM ON April 16, 2008.

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Respectfully submitted,



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